



JPW

Attorney Docket No. 23662.00

Customer No. 37833

Confirmation No. 2483

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE *PATENT* APPLICATION OF:

APPLICANT : **AL BROWN *et al.***

APPL. NO. : **10/694,829**

ART UNIT : **3635**

FILED : **OCTOBER 29, 2003**

EXAMINER: **SLACK, N.**

TITLE : **PLANT-ON TRIM ELEMENTS AND METHODS**

MAIL STOP RESPONSE
COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In the Office Action dated October 18, 2004, the Examiner required restriction under 35 U.S.C. § 121 prior to an examination on the merits of the above-identified application. The separate inventions identified by the Examiner are as follows:

- I. Claims 1-13, drawn to a plant-on trim and method of preparation
- II. Claims 14-17, drawn to a method of forming a trim element.

The Examiner states that the inventions of Groups II and I are related as process and product made. In order to establish that the separate inventions of are distinct, the Examiner asserts that the trim

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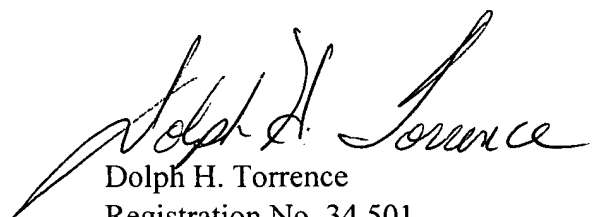
element of Group I can be made by a materially different process, "such as coextrusion of a shell and core trim member."

In compliance with the Examiner's requirement, Applicants provisionally elect with traverse for further prosecution the product defined by Claims 1-13 (designated as Group "I").

Applicants respectfully contend that the Examiner has failed to provide a reasonable example of "a materially different process" for making the products of Groups I and II, and therefore does not meet the criteria for distinctness as set forth in MPEP 806.05(f). Moreover, it would appear that a search and examination of the entire application can be conducted without a serious burden on the Office.

Therefore, it is respectfully requested that the Examiner withdraw the restriction requirement and issue an action on the merits of the claimed embodiments presently in the application. Alternatively, should the Examiner maintain the requirement, Applicants await a complete action on the merits of the elected subject matter.

Respectfully submitted,



Dolph H. Torrence
Registration No. 34,501
(703) 486-1000

DHT:RCL